

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

In the Matter of Attorneys Suspended or
Disbarred by the State Bar of California,

(Attorney Howard Roy Levine,
Cal. Bar #105973)

Case No. 11mc1596

ORDER OF SUSPENSION

On December 21, 2011, the Court ordered Attorney Howard Roy Levine to show cause why he should not be suspended or disbarred from practice in this Court. On January 30, 2012, Mr. Levine filed a written response requesting an extension of time to fully respond to the Court's Order to Show Cause. The Court granted a thirty (30) day extension of time for Mr. Levine to file a complete response pursuant to Civil Local Rule 83.5.d. On February 21, 2012, Mr. Levine filed his Opposition to the Court's Order to Show Cause.

In his Opposition, Mr. Levine explains that he was placed on inactive status by the State Bar of California as of October 19, 2011, following a three-day hearing and subsequent decision by a State Bar Judge. The State Bar Judge's decision also recommended that Mr. Levine be disbarred from the practice of law in the State of California. On October 24, 2011, Mr. Levine requested a review of the State Bar Judge's decision. As of February 21, 2012, Mr. Levine was in the process of filing his Opening Brief with the State Bar of California's Review Department.

1 Civil Local Rule 83.3.c.1.a states that "continuing membership in the bar of this court
2 is limited to attorneys of good moral character who are active members in good standing of
3 the State Bar of California." Civil Local Rule 83.3.d states that "[i]n the event [an] attorney
4 is no longer eligible to practice in another jurisdiction by reason of . . . enrollment as an
5 inactive member, the attorney will immediately be suspended from practice before this court
6 without any order of court and until the attorney becomes eligible to practice in such other
7 jurisdiction." In addition, "[a]ny attorney seeking reinstatement may file a petition with the
8 clerk of court with supporting documentation showing that he or she meets the requirements
9 of 83.3.c.1.a, for determination by the chief judge." CivLR 83.3.d.

10 The Court orders that since Mr. Levine is not an active member of the State Bar of
11 California, he remains suspended from membership in the bar of this court until he is
12 reinstated as an active member in good standing of the State Bar of California. In order to
13 seek reinstatement in the bar of this court, Mr. Levine may file a petition with the Clerk of the
14 Court with supporting documentation showing that he has been reinstated as an active
15 member in good standing of the State Bar of California. This petition will be determined by
16 the chief judge.

17
18 **IT IS SO ORDERED.**

19
20 DATED: August 8, 2012

21 
22 BARRY TED MOSKOWITZ, Chief Judge
23 United States District Court
24
25
26
27
28